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| 10/724,426  | 11/26/2003  | Johnny Zhong         | 15436.135.1         | 1047             |
| 7590 01/21/2009   |             |                      |                     |                  |
| R. BURNS ISRAELSEN<br>WORKMAN NYDEGGER<br>1000 Eagle Gate Tower<br>60 East South Temple<br>Salt Lake City, UT 84111 |             |                      |                     |                  |
| EXAMINER  |             |                      |                     |                  |
| WONG, ERIC K  |             |                      |                     |                  |
| ART UNIT  |             | PAPER NUMBER         |                     |                  |
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte* JOHNNY ZHONG,  
STEVE WANG and YIN ZHANG

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Application No. 10/724,426  
Technology Center 2800

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Mailed: January 21, 2009

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Before KAREN SWEENEY, *Paralegal Specialist*

SWEENEY, *Paralegal Specialist*.

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on September 30, 2008. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matters requiring attention prior to docketing.

EXAMINER'S CONSIDERATION OF REPLY BRIEF

A Reply Brief was filed in this application on March 27, 2008. There is evidence on the record indicating that the Examiner has considered the Reply Brief in accordance with 37 C.F.R. § 41.43(a)(1) and MPEP § 1208, part II. In addition, the Examiner has incorrect dates for the consideration of the Reply Brief. Correction is required.

CONCLUSION

Accordingly, it is ORDERED that the application is returned to the Examiner:

- 1) consider the Reply Brief filed March 27, 2008 as indicated above;
- 2) for such further action as may be required.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

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